

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE BIOPURE CORPORATION
SECURITIES LITIGATION

Civil Action No. 03-12628 -NG

MOTION TO ADMIT COUNSEL *PRO HAC VICE*

Pursuant to Local Rule 83.5.3, the undersigned counsel, Theodore M. Hess-Mahan, hereby moves that this Court enter an Order granting leave to Timothy J. Burke of Stull, Stull & Brody, 10940 Wilshire Boulevard, Suite 2300, Los Angeles, CA 90024, (310) 209-2468, to appear on behalf of the lead plaintiffs and practice before this Court in the above-captioned action.

As grounds for this motion, the undersigned represents the following:

1. Mr. Burke is and has been a member in good standing of the bar of the State of California 1996. In addition, Mr. Burke has also been admitted in the following jurisdictions as of the years indicated: the United States District Courts for the Eastern District of California (1998), Southern District of California (1998), Central District of California (1998), Northern District of California (1998), and District of Colorado (2002), and the United States Court of Appeals for the Ninth Circuit (1999).

2. There are no disciplinary proceedings pending against Mr. Burke as a member of the bar in any jurisdiction.

3. Mr. Burke has represented to the undersigned counsel that he is familiar with the Local Rules of the United States District Court for the District of Massachusetts.

4. In further support of this motion, Mr. Burke has submitted herewith his

Certificate of Good Standing as Required by Local Rule 83.5.3.

WHEREFORE, the undersigned counsel respectfully moves that Timothy J. Burke be admitted to practice before this Court *pro hac vice*.

Dated: July 10, 2006 Respectfully submitted,

/s/Theodore M. Hess-Mahan

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Co-Counsel for Lead Plaintiff and the Class

Certificate of Service

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on July 10, 2006.

/s/Theodore M. Hess-Mahan

Theodore M. Hess-Mahan